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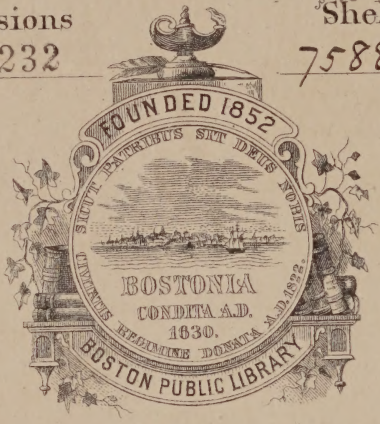

MAY 6 1891

Received

THE MAINE PREVENTATIVE.

A

SERMON,

PREACHED IN THE

ORTHODOX CONGREGATIONAL CHURCH,

IN

MANSFIELD, MASSACHUSETTS,

ON THE DAY OF

THE STATE FAST, APRIL 8, 1852,

AND

PUBLISHED BY REQUEST OF THE HEARERS.

BY

MORTIMER BLAKE, A. M.

PASTOR OF THE CHURCH.

BOSTON.

C. C. P. MOODY, PRINTER, 52 WASHINGTON STREET.

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Note.—The author is aware of the existence of a tract called the "Ox Sermon," written many years ago. What similarity or thought or plan may exist between it and the present discourse, he is unable to say, having never seen the production.

SERMON.

If the ox were wont to push with his horn in time past, and it hath been testified to his owner, and he hath kept not him in, but that he hath killed man or woman; the ox shall be stoned, and his owner also shall be put to death. If there be laid on him a sum of money, then shall he give for the ransom of his life whatsoever is laid upon him.—EXODUS XXI 29: 30.

ANCIENT PALESTINE, was a land for pasturage; and the chief occupation of the inhabitants was that of shepherds. The arts and manufactures were little known, and less practiced. The bulk of the population tended their flocks and herds upon the plains, and along the watercourses, and up the hillsides of the promised land.

The fields were not fenced in to secure enclosures, nor were there any roads protected by walls upon either side. All the land was open champaign. The little villages, where the herdsmen's families resided, were connected only by winding foot paths, unprotected by fences or gates. Every thing outside of their dwellings was open and exposed.

A drove of cattle, made suddenly furious by a concealed nest of bees, or affrighted by the rush of a wolf or hyena from a cedar grove, might charge along the fields unchecked, and the traveller would have no shelter of escape from their fury, but his own agility of foot and a climb into the nearest sycamore or terebinth tree.

In such a land, so filled with flocks and herds, some protection was necessary; and the law provided that there should be no needless or wilful exposure of life or limb. The animal known to be vicious, and "*wont* to push with his horn," was to be hampered and fettered for public security; and if the owner, knowing his ox's disposition, neglected these precautions, then, if a person was killed, he forfeited the life of the animal, and exposed his own neck. The ox must be killed, but he might redeem himself by the payment of a fixed sum of money; not very great perhaps, as the life of so contracted and selfish a man would not be very high appraised by his neighbors. And whatever injury such a pugnacious animal might cause, the owner was to make it good. [Such was the law,] and no doubt, they who regarded their own and the public safety, would see it faithfully excuted. The owners of vicious animals would be speedily advised of their propensity, and if they still allowed them to go at large, would be promptly served with the provided penalities.

We can imagine, indeed, that such a stringent and summary process might excite considerable opposition amongst the owners of unruly cattle. Perhaps they objected; "they were not responsible for the disposition of their oxen." "The animals would do no hurt, if people kept out of their way." "Cattle were property, and the law had no right to snatch an ox out of their herds, because some careless traveller had his limb or back broken." "It was contrary to the Mosaic constitution, which secured to every man the peaceable possession of his own,to seize and kill one of their herds, and not only give them no compen-

sation for the loss, but even add a heavy fine for owning the beast." Old crusty herdsmen, whose flocks had kept possession of the best pasturage grounds by their fighting propensities, might mutter at this imagined invasion of their rights. But the law was in the code, and God put it there. It was a divinely appointed law, and therefore, must be right in its principles, details, and applications — let them who suffered under it complain, as they please. They might consider, that other people had rights as well as themselves. Travellers had a right to cross the country without being tripped up and bruised in the dirt by an unruly ox. Children had a right to their cheerful plays in the sunshine without being dashed and trodden on by the hoofs of an infuriated animal. Families had a right to live without the misery of having a member brought home with a limb broken by the horns of a mad ox. Society had a right to be exempt from the expense of supporting men, women and children disabled from work by the attacks of an infuriated drove of cattle. No man had a right to bring any such evils upon others for the sake of the little profit he might get from keeping such untaimed beasts. Every man must, in his own doings, respect and consult the rights and welfare of others. If he would not, society held the right to compel him to do so, even by depriving him of the means and power of injury, and punishing him for his trespass.

This heaven-appointed and humane law of the Israelites, had its basis and justification in the obvious principle that *society has the right, and is bound to protect itself effectually against the wrong doings of its individual members.*

Unless you admit the justness of this principle, you deny the justness of the ends for which civilized society exists. You resolve it into a group of separated individuals. You destroy all municipal laws and police regulations. You go back beyond the encampments of Bedouin Arabs — beyond the buccaneer settlement of Nimrod in Shinar. Your say

there are no rights but a man's own interests — no duties to our fellows. Self protection of the whole, against the evil few, is one of the ends of society. Together, we do what we cannot separatly. In a phalanx, we can repel an enemy who would annihilate us individually. But deny that the phalanx has a right to repel the enemy and you virtually disband and destroy it. The principle must be admitted that the public has a right to defend itself effectually from harm. On this right society is organized, and the equity and force of its laws are based.

The ox which is wont to push with his horn, and is not kept in, is rightfully killed by law in self defence, whoever be the owner; and if the owner know its habit, and still lets it abroad to injure society, he is rightfully punished in addition for contempt of the rights and welfare of others. This is indeed Mosaic law, but it is God's law, and it is good, just law, to whatever its principles may be applied. Infidels, with all their anxious curiosity and quick detection of imagined flaws in the Bible, have never, to my knowledge, dragged forth this police regulation for complaints.

Having kedged our anchor thus securely amongst the rocks of God's own appointed principles, we will warp along to our ultimate position.

Suppose now, not one of the wayward oxen of the herds of Israel, but a beast more furious than the bulls of Bashan, were, in this time, to break forth from his enclosures, and rush along the streets, goring man and woman —rending the limbs of boys and girls—how quickly some stout arm would instinctively fling a lasso about his horns; or, if daring failed in this, send some sure bullet to arrest his destructive career! And if he were known to be of just this savage disposition by nature, and besides that his owner purposely let him out to rend and ravage, for some insignificant self-benefit, what jury would ever acquit the owner and mulct an outraged community in damages for

his loss? And if whole menageries of them were distributed through towns and villages and cities, to be purposely let out from sly lairs on unsuspicious citizens and travellers, and the question of this outrage were raised, grave legislators would not long debate to pass stringent laws, and sufficient to extirpate the species—nay, to offer most tempting bounties for their scalps, unless they owned some of the ravenous beasts! An exposed community would rise indignantly at such cruel exposure and sacrifice; and if self-protection were denied, would significantly take to itself measures effectual to that end. If one poor harmless *fox* could call out even hundreds of excited, panting men, boys and dogs, for cruel sport, what crowds should justly wish to arrest and destroy such devouring monsters? and conscience would justify the loss of the beast by the right of self-protection!

But let now the most blood-thirsty animal pardon us, if we borrow his skin to cover an *evil agent* more distructive than all the carnivora together.

Begotten in Arabia, in the steam of the alchemist's retort, it has diversified its species and its names, until they are almost numberless. And what strange fare has the demon beast not fed on! See, it has eaten up millions of bushels of grain, when the poor producers have been starving. It has, countless times, devoured all the hay and corn and potatoes of the farmer, and left his family with hardly a meal through the whole winter, except as charity has fed them. It has, strange to tell, eaten up the farm itself, and the buildings of the farmer, times innumerable, and turned him and his family out of doors, houseless and homeless, to pick up a living as they could, or to hide away in the poor house. It has torn their warm and tidy garments into shreds, and left innocent little ones naked and shivering by the road side, to beg for rags to cover them. Nay, more than the Indian vampyre, it has sucked healthful blood from the veins, and filled

them with diseased and bloating virus, breaking out in blotches, blains, and corruption. It has gored unwary young and old by day and by night, plunging them into the ditch, dashing them under the wheels of the rail car, marring and mutilating them, and leaving them to freeze helpless in the snow, or to drown in the river. It has, stranger yet, charged upon hearts, and broken them beyond healing; has dashed down promising hopes, and coming happiness, and demolished every dear thing which man cherishes in this world as desirable. And all this it does in no accidental freak, but naturally and always. "It hath been *wont* to push with his horn," and to push its victims on and on, over the brink, and into the deep dark pit of all possible miseries. This is its nature—the universal, invariable and inevitable result of its going at large.

And his owner has known it! "It hath been testified to him." The poor victims have stood before him, in rags and wretchedness, and have told him of it. Poor, broken hearted wives have been to the owner, and have sobbed their miseries out before him, and have plead with him to "keep him in." Children, as bad as parentless, have prayed the owner to "keep him in!" Yes, he knows the havoc made, the woes which the public suffer, and yet he lets the monster run! Limbs may be broken, families made homeless, hearts desolated, lives destroyed and souls lost, but the owner makes a little in the general misery, and he lets the monster run!

On the same principle, as thieves fire houses that they may steal in the confusion, the monster is let loose upon the community, that a few may save to themselves out of the common ruin. All sorts of baits, traps and decoys are displayed to draw the simple into exposed places, and gather them in crowds, that the onslaught may be more extensive, and the profits greater. The owner has one aim—to make all he can to himself out of the wreck of human good.

Various methods have been tried, it may well be supposed, to restrain the ravages of this devastating tribe of ferocious beasts. The public for a long time suffered them to go at large, without chain or muzzle, and left each man to care unhelped for himself. But the havoc then was dreadful; hardly one could be met who did not bear marks of encounter with some of the species. Hardly a dwelling but showed signs that he had been prowling and trampling around it. Meanwhile the law was, that discreet, respectable men might own, keep and let loose this devouring pest as they saw best. Popular opinion was, that the *public good* required that he should be loosed to devour and trample under foot *some*. The select men, or county commissioners, had the keys of his den, to let him out as they saw best, and they usually allowed him to ravage through the streets without restraint.

But some hearts, moved to pity by the desolations, attempted to devise some mode of protection from the ravening curse. The first plan was to agree together that they would be gored by the ox only as they thought themselves to need it. Multitudes readily pledged themselves, and fell under his feet about as often as before. Again the case was studied, and it was resolved that they engage wholly to shun always all manner of contact and exposure. All who did so were safe. No beast could harm them directly, unless by personal encounter in his way. This plan saved thousands. Many gates were closed, and many doors bolted against the monster, and the circle within grew happy amidst thrift, and health and smiles.

But still many could not be persuaded to keep out of harm's way. Many inexperienced ones *would* stand in his path, and were trodden down while they thought there was no danger. The terrible devourer still prowled through the country, and would often snatch up a careless youth or a weak, infatuated victim of former assaults. Society was not yet safe. Its protective measures were inadequate.

Many and long were the deliberations on the subject, and anxiously were plans balanced how this fearful ravager might be forever put out of the way, so that the public could walk abroad in unharmed security. Some eloquently warned the people by their own experience to keep away resolutely from his paths and haunts; others turned their sagacity to ferreting out his hiding places, and with such weapons as they had, they tried to shut them up, or to make the keeping of these beasts of prey so expensive to the owners as to absorb all the profits. Both these plans accomplished something, yet the cunning of Satan could not exceed the cunning of their owners. In spite of all precaution and watchfulness, the hungry hyenas would be let slip at night, and before morning many a poor mangled traveller would be found half dead by the roadside. Their owners would swear they knew nothing of the havoc; and though the marks of the animal's teeth and the shape of their track were not to be mistaken, the law would not admit anything as evidence except that the witness had positively seen their face and felt their bite, a risk to which few were willing to expose themselves.

At length, a happy thought was struck out towards the sunrise where the day-break usually first appears. It was a way of exterminating the devouring race, simple, and apparently sure, viz: TO KNOCK THE ANIMAL ON THE HEAD WHEREVER HE COULD BE CAUGHT, AND LET HIS LIFE-BLOOD OUT ON THE GROUND, and leave the owner of the venomous beast to congratulate himself that the head was not his own.

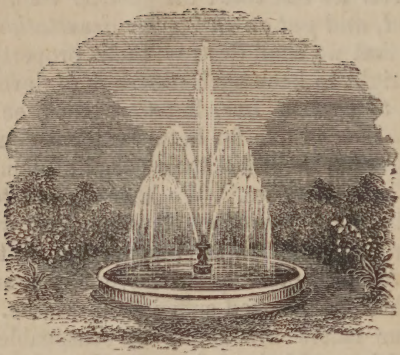
Every body was struck with its simplicity and its effectiveness, and all the owners of the hateful race were at once in a turmoil. They saw it was neck or nothing with them, and they struggled for the life of their deadly pets as for their own. But the friends of humanity were aroused as one man, and the experiment of this new process was resolved to be tried. Every suspicious looking animal in

the State was examined sharply. The evil genus could not conceal their nature even in a coffin, for their scent is stronger than that of a civet; and on detection and proof, each ugly cur was dragged to a barren place, where their blood could kill nothing, and beheaded with acclamations. *Now* the hunted, often prostrated victims can walk the streets in safety, with their happy families, for no bull of Bashan rushes upon them on the sly, and prostrates them into the gutter.

We have asked our honored legislators for liberty to do the same in our own State. We have all suffered from the ravages of RUM — this ox that hath been wont to push from the beginning — long enough. We have asked that *wherever we can catch the monster we may knock him in the head, and put an end to his devastations.* His owners plead that we shall destroy their property — but they have no right to keep such monsters to devour us. They may say, *they must live*, but we cannot see any *necessity* for that. *We* can live far better without rum-sellers than with them. Let them kill their breed of demons, and they shall live as well as we. We have a right to protect ourselves and society by effectual laws, and we believe the destruction of the means of intoxication is the alone protection. All our other plans have failed, and we ask to try this which *has* proved sufficient in Maine. We cannot suppose our rulers will refuse so reasonable and benevolent a petition. If they do, we will send others who will grant it. We are resolved to be gored no more for the profit of a few.

If the question comes out to the people, shall we give up the right to kill the monsters wherever we can catch them, let every man, woman and child — let every *legal* voter answer NO! If the law asked, be enacted without this dodging proviso, we are sure that every friend of his kind will see to it that it is faithfully executed. Many have talked, and are talking verbosely of their love to temperance. *We*

shall see whether the vicious ox is theirs. Every disinterested man will say "kill the monster," and, if he can, will heartily give him a fatal blow.



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